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DEPARTMENT OF JUSTICE FOR CRIMINAL DIVISION

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TAGS: [PREL](#) [PGOV](#) [KCRM](#) [KHLS](#) [ES](#)
SUBJECT: AG GONZALES MEETING WITH PRESIDENT SACA

Classified By: Ambasasdor Charles Glazer, Reasons
1.4 (b) and (d)

¶1. (C) Summary: On February 5, 2007 the Attorney General visited El Salvador to announce new anti-gang initiatives. As part of his visit, the Attorney General and his staff participated in a bilateral meeting with President Saca, members of his cabinet and important members of the Salvadoran judiciary. They discussed regional anti-gang cooperation, fighting organized crime, technical assistance, information sharing, judicial reform, terrorism, and the possibility of a new bilateral extradition treaty. In the very cordial one hour meeting, both sides agreed that a regional plan involving close coordination will be necessary to confront the gang problem. The Attorney General re-iterated U.S. support, to the extent the USG is able, to help reduce violent crime in the region. He also thanked El Salvador for their support in Iraq. End Summary.

Anti-Gang Cooperation

¶2. (C) The focus of the meeting was on anti-gang cooperation at a regional level. President Saca estimated that nearly 60 to 65 percent of violence in El Salvador is tied to the gang problem, and stated that while enormous progress has been made since the end of the civil war, the formation of gangs since then has been an enormous problem for the country and region. Both President Saca and Attorney General Gonzales agreed that the gang problem has become a regional problem, stretching from the Untied States, through Mexico and into Central America, most significantly in Guatemala, Honduras, and El Salvador. Saca argued that gang violence has been a problem for El Salvador and the United States since its inception, opining that many Salvadoran gangs got their start in the Los Angeles area. He said that a viscous cycle has grown out of these ties between El Salvador and the U.S., with deportees causing violence in El Salvador and then often returning to the U.S. to commit crimes again.

¶3. (C) The AG mentioned his recent 18 city tour through the U.S. to view anti-gang efforts, and offered to share lessons learned and best practices that the Department of Justice has observed. He stressed that only a comprehensive approach will work, not just locking up gang members, but focusing on education, prevention, and also on re-integration and job training programs for ex-gang members. Minister Figueroa mentioned that the GOES shares this view, that and added they feel it is cheaper to invest in education and rehabilitation than simply in enforcement measures. The AG affirmed that

the USG wants to provide assistance in as many areas possible, including training police, prosecutors, and prison wardens. He said that our cooperation must take into account any limitations, to the extent any exist, posed by each individual country's sovereignty. The AG stressed that our desire to help is especially important because of the deep friendship between El Salvador and the United States.

¶4. (C) President Saca mentioned GOES frustrations with gang members continuing to direct operations from jail, a problem they have not been able to solve despite continued efforts. Expanding on jail problem, President Saca said El Salvador is building a new jail currently, but has had to keep the location secret, as no community in El Salvador wants a new prison with gang members located close to their municipality.

Saca estimated there are 4,900 active gang members incarcerated in El Salvador, causing a huge problem for the rest of the prison population. He said he would like members of the National Civilian Police (PNC), and Ministry of Public Security and Justice to travel to the U.S. to observe the management of prisons and other gang controlling techniques. Saca said that as this threat affects both sides, we must have a united effort to confront it.

Organized Crime

¶5. (C) President Saca raised the issue of organized crime and pointed to initiatives like the recent legislation to prosecute gang members under anti-organized crime provisions, with cases seen by special judges only. He mentioned that these better trained and impartial "special judges" will be key for the GOES prosecutors to achieve more convictions and put more gang members behind bars. Saca went further, arguing that some organized crime groups are directly financing gang violence, because disorder and chaos is in their interest. Justice Nelson Casteneda argued that while everyone is sure that gangs are deeply involved with organized crime, the difficulty will be in proving these links in court. He said that is why the need for better scientific evidence to present in court is increasingly vital.

Technical Assistance and Cooperation

¶6. (C) Salvadoran AG Safie, Minister of Public Security and Justice Figueroa, and Director of Police Avila all stressed the importance of data sharing and other technical assistance. They stressed that increasing technical capabilities on the investigative side would help present the proof necessary to convict many violent criminals who are currently being set free. This will require continued reform and re-enforcement of the judicial system, but the ability to present more convincing and technically sound evidence is key to securing more convictions. Many of the Salvadoran participants, including the President, said that the National Police, Prosecutors (Fiscalia) and others need more resources, and that the GOES is willing to go into more debt to pay for these, though legislative opposition may make this difficult. Saca also said that the GOES is effective at facing challenges and can produce results. When kidnapping became a big problem a few years back, he said, the GOES had a consolidated front to combat the crime and kidnappings disappeared in El Salvador. Confronting gangs, Saca said, requires significant technical assistance but with help, El Salvador will achieve results. The Attorney General said that the USG is exploring as many options as possible to assist in these areas.

¶7. (C) The Attorney General stressed that sharing intelligence and data is important, pointing to the example of fingerprint sharing. He said that that this sharing not only left both sides better informed but is a good example of effective collaboration. The Attorney General said that in the rapidly changing world we live in we need to take advantage of these tools, and make sure laws and regulations are reformed to take into account the full capacity of these

technological advances. Director of Police Avila agreed strongly with the Attorney General's point on fingerprint sharing, and mentioned that in one recent example the Salvadoran authorities found "hits" or derogatory information on 3 percent of prints shared by FBI (nearly 300 people, including some currently facing prosecution in the U.S.) He said that having a direct connect to the APHIS system would have an even greater impact on the regional level. Avila also stated that the GOES has captured more criminals on FBI tips than any other country. He pointed to the private sector as helpful, having donated some new fingerprint related technology recently.

¶ 8. (C) Director Avila also asked for better data on people who have committed crimes in U.S., especially Salvadorans who have committed crimes against Salvadorans, who may face additional prosecution upon return to the country. He pointed to the meeting of police chiefs in Los Angeles as an important event that will involve seminars, training, and information sharing. Avila also thanked the Department of Justice for the work of the LEGATT office in San Salvador. AG Safie was also had great praise for the FBI, saying their data is excellent and helps locate gang members very quickly. President Saca praised these technical efforts and importunate cooperation, but said even more important was to maintain political focus on the issue of fighting ties between gangs, drugs, and terrorism.

Judicial Reform

¶ 9. (C) Justice Nelson Casteneda said reform and training are key and mentioned El Salvador's "Judicial Modernization Project", which will help in efforts to provide better protection for judges, prosecutors and witnesses. He said that El Salvador provides extensive training for the judiciary but that U.S. assistance is appreciated in helping to maximize the benefits of this training. Justice Ulises Guzman said that while better evidence is a tremendous problem as clear proof is needed to allow justices to rule in favor of the interests of the community, equally important is the weakness of the judicial system since the peace accords. He argued that delinquents' rights are now well protected, but the arbitrary judicial system is not protecting the rights and liberties of the whole population. El Salvador, and much of the region, is historically more accustomed to authoritarian institutions he said, and that while democracy exists now, the institutions are not strong enough to protect the rights of everyone, especially victims. He opined that training judges to be more thoughtful decision makers would help reduce the perception that decisions are arbitrary. President Saca agreed that this is a historic problem and that some errors have to be corrected. Nevertheless, the President said he is proud though of all the progress his country has made, despite the difficulties of overcoming the aftermath of the civil war and many devastating natural disasters. He said El Salvador will continue to look to the U.S. for help and guidance as it historically has.

Terrorism

¶ 10. (C) President Saca raised the fear that gangs will increasingly become interconnected with other transnational threats like narcotics trafficking and terrorism. The Attorney General replied that the USG is also especially concerned about the potential for ties between gangs and terrorists, and considers transnational gang violence to be a national security threat. President Saca mentioned the new Anti-Terrorism legislation (passed in September of last year, currently being reviewed by the Supreme Court) as an important new tool in fighting gang violence if they become involved with terrorists. Both sides stressed the importance of intelligence information sharing.

¶ 11. (S) Additionally, Minister Figueroa raised the news reports of a Hizbullah cell operating out of El Salvador. Adding to this, President Saca raised the concern of Iranian

influence increasing in Central America through Nicaragua. He mentioned the recent travel of Salvadoran Shiite radicals from El Salvador to Iran through Venezuela (Note: The Salvadoran National Security Council had shared this information with the Ambassador and Emboffs the week before. End Note). President Saca said that the visit of the President of Iran to Nicaragua peeked their radar, and that their support of the mission in Iraq also makes them feel vulnerable.

Extradition Treaty

¶12. (C) Though the issue of the U.S. and El Salvador negotiating a new extradition treaty made headlines in the following day's local press, it was not a significant topic of discussion during the bilateral session. The only related topic was Minister Figueroa's statement that a new Central American Arrest Warrant should be implemented as a vital tool in catching gang members who easily move between Honduras, Guatemala and El Salvador. Nevertheless, in a short private meeting beforehand, the issue of bilateral extradition was raised. President Saca told the Attorney General that he did not believe the political will exists currently in El Salvador to implement such an agreement, nor to pass constitutional reforms to allow wire tapping in the country. The press reported the next morning that the President did not think an extradition treaty was politically viable yet in El Salvador, and that it would have to be discussed at the local political level first. In the press conference after the bilateral meeting, most of the questions focused on the deportation of Salvadoran criminals to their country, not mentioning that the U.S. might be seeking to bring some of the worst criminals back for criminal prosecution.

Side Comments

¶13. (C) In the short private meeting, President Saca also told the Attorney General that he believes that democracy is strong in El Salvador and that he is not worried about an FMLN win in 2009. Saca said the real threat to democratic institutions and regional stability was the new regime in Nicaragua. On areas of regional concern, Saca also mentioned he did not understand why the USG had financed the purchase of 8 new small planes for the Honduran Armed Forces. He expressed disappointment that the USG has not yet helped El Salvador with their aging aviation assets, despite their support for the mission in Iraq.

¶14. (U) Participants:

El Salvador:

President Tony Saca
Attorney General Felix Garrid Safie
Minister of Public Security and Justice Rene Figueroa
Foreign Minister Francisco Lainez
Vice Minister of Public Security and Justice Astor Escalante
Director of National Civilian Police, Rodrigo Avila
President of Criminal Chamber, Supreme Court, Ulices Guzman
President of Civil Chamber, Supreme Court, Mauricio Velasco
President of Admin. Chamber, Supreme Court, Miguel Angel Cardoza
Justice, Constitutional Chamber, Supreme Court, Nestor Casteneda
Counselor to President Saca, Luis Mario Rodriguez
Legal Adviser to President Saca, Elias Jorge Bahia
President Saca's Private Secretary, Elmer Charlaix

U.S.:

Attorney General Alberto Gonzales
Ambassador Charles Glazer
Chief of Staff to the Attorney General, Kyle Sampson
Counselor to the Attorney General, Matt Friedrich
Assistant Attorney General, Criminal Division, Alice Fisher
Dep. Assistant Attorney General, Criminal Division, Bruce Swartz
DOJ Deputy Director of Public Affairs, Brian Roehrkasse

DOJ Attaché Stacy de la Torre
Political Officer/Notetaker Patrick Ventrell
Glazer